



Community Development Department - Planning Division

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Second Dwellings on Single Family Residential Lots

BACKGROUND: In September 2002, the State approved Assembly Bill AB 1866, which requires local agencies to permit second dwelling units in residential zones without discretionary action, or in other words, simply subject to a building permit. The purpose of the State law was to increase California's supply of affordable housing in response to a perceived housing crisis in many areas of the State.

The Assembly Bill allowed municipalities to establish basic development standards and to designate areas within the City where second units may be permitted. The City could also designate certain areas of the City where second units would not be permitted based on the inadequacy of public services, traffic congestion or lack of parking. The City of Riverside adopted a code amendment, Ordinance 6672, effective June 27, 2003, which permits a second dwelling on all single family residentially zoned property, including the R-1-65, R-1-80, R-1-100, R-1-125, R-1-130, HR, and RA zones, subject to minimum standards established by the amendment. This ordinance does not allow second units in the RC-Residential Conservation or the RA-5 Residential Agricultural zones. This handout provides the definition of a second dwelling and a list of the development standards that will allow such units on the designated properties.

DEFINITION: "Second Dwelling" means a dwelling located on a property zoned for single-family residential use which is designed for exclusively residential purposes with a kitchen and sanitation facilities and located on the same lot as the primary dwelling.

DEVELOPMENT STANDARDS.

A second dwelling in the R-1-65, R-1-80, R-1-100, R-1-125, R-1-130, HR, and RA zones will be subject to the following standards:

1. **Lot Size:** Minimum lot area of 10,000 square feet or the minimum lot area required by the underlying Zone, whichever is greater.
2. **Lot Coverage:** Same as the underlying Zone.
3. **Rear Yard Coverage:** Second dwellings are not allowed in the rear yard setback.
4. **Number of Dwellings:** The number of dwellings permitted on a single lot in any single family residential zone, except the RC and RA-5 Zones, shall be limited to no more than two, which may include the primary dwelling and either a second dwelling, auxiliary dwelling unit, a guest house or accessory living quarters. The second dwelling may be established within or connected to the primary dwelling.
5. **Second Dwelling Size:** The minimum floor area requirement for a second dwelling shall be 400-square-feet, excluding attached-covered parking and unenclosed patio covers. (Note: this reflects basic Building Code requirements.) There is no maximum size for the

second dwelling, except that size shall be limited by meeting all of the lot development standards for the underlying zone.

6. **Building Height:** For a detached second dwelling, the height shall be limited to a single-story, twenty-foot high building. An existing second story constructed as part of the original building permit for the primary dwelling may be converted to a second dwelling; however, any second story addition to a dwelling constructed in conjunction with a building permit issued separately from the original permit may not be converted to a second dwelling.
7. **Setbacks:** Detached and attached second dwellings shall be required to meet the minimum lot line building setback requirements of the underlying zone.
8. **Building Separation:** A second dwelling shall have a minimum building wall separation from the primary dwelling of 15 feet.
9. **Street Improvement Requirements:** A second dwelling shall be permitted only on property fronting on City streets where 40 % or more of the properties within a block are fully improved with a minimum 36 feet of paving between curbs, and including curb and gutter, as measured from curb to curb.
10. **Parking and Access Requirements:**
 - A. The second dwelling shall have a separate, minimum one-car, covered parking space.
 - B. This parking space shall be separate from and in addition to parking provided for the primary dwelling.
 - C. This parking space shall not be permitted within the front building setback.
 - D. Additional driveways and driveway openings are permitted only where allowed by the Zoning Code.
11. **Design Guidelines:** The second dwelling shall be designed to match the primary dwelling in architectural style, colors, and materials. If a property is located within the boundaries of a designated historic district, a second dwelling shall comply with the recently adopted Citywide Residential Historic District Design Guidelines. No exterior stairways may be visible from the public right-of-way, excepting from alleys.

HOME OWNERSHIP USE STANDARD

1. One of the two dwellings, either the primary or second dwelling, is required to be occupied by the owner of the property.

2. If one of the dwellings is not owner occupied for any period longer than 30 days, one of the two dwellings will be required to be converted to accessory living quarters or a guest house and kitchen facilities shall be removed in accordance with this Title.
3. A covenant shall be recorded with the County Recorder on the property, subject to approval of the Planning Department and the City Attorney's Office, to restrict the property with the requirements of this section, prior to issuance of a building permit for the second dwelling. This use restriction shall be binding upon any successor in ownership of the property.

MINOR CONDITIONAL USE PERMIT

A Minor Conditional Use Permit is required for a second dwelling which is not in compliance with Development Standards in 1 through 11, inclusive.

1. Any second dwelling not in compliance with the specified development standards shall be subject to the requirements for a minor conditional use permit and variance from the standards in accordance with Chapter 19.64 of Title 19.

For Questions Contact the Planner on Duty
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